

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7022

EUSEBIO ALFONSO-JORRIN,

Petitioner - Appellant,

versus

CONGRESS OF THE UNITED STATES; UNITED
STATES SUPREME COURT; U.S. IMMIGRATION &
NATURALIZATION SERVICE; JOHN ASHCROFT,
United States Attorney General,

Respondents - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Terrence W. Boyle, Chief
District Judge. (CA-03-869-5-BO)

Submitted: September 9, 2004

Decided: September 16, 2004

Before WILKINSON, MICHAEL, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Eusebio Alfonso-Jorrin, Appellant Pro Se. Rudolf A. Renfer, Jr.,
Assistant United States Attorney, Raleigh, North Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Eusebio Alfonso-Jorrin seeks to appeal the district court's order placing his petition filed pursuant to 28 U.S.C. § 2241 (2000), in abeyance pending the Supreme Court's decision in Beutez v. Wallis, 337 F.3d 1289 (11th Cir. 2003), cert. granted, 124 U.S. 1143 (2004). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order Alfonso-Jorrin seeks to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED